

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE BANK OF AMERICA CORP.	:	Master File No. 09 MD 2058 (PKC)
SECURITIES, DERIVATIVE, AND	:	
EMPLOYEE RETIREMENT INCOME	:	ECF CASE
SECURITY ACT (ERISA) LITIGATION	:	
	:	
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	:	
THIS DOCUMENT RELATES TO:	:	
	:	
The Consolidated Securities Action	:	
	:	
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**DECLARATION OF HANNAH G. ROSS
IN FURTHER SUPPORT OF LEAD PLAINTIFFS'
MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, HANNAH G. ROSS, hereby declare as follows:

1. I am a partner in the law firm of Bernstein Litowitz Berger & Grossmann LLP, Co-Lead Counsel for Plaintiffs. I respectfully submit this Declaration in Further Support of Lead Plaintiffs' Motion For Partial Summary Judgment.

2. Attached hereto are true and correct copies of the following:

<u>Exhibit</u>	<u>Description</u>
1	Excerpts from the March 6, 2012 Deposition of Kenneth Lewis in <i>In re Bank of Am. Corp. S'holder Derivative Litig.</i>
2	BAC-ML-NYAG10006713-715 (Email from David Belk to Joe Price, re: Another analyst report (UBS) on capital and deal projections with Merrill, dated December 1, 2008) (highlighted)

<u>Exhibit</u>	<u>Description</u>
3	Excerpts from BAC-ML-NYAG70304741 (with native attachment) (Email from Curt Kendall to Jeff Brown, re: Capital Files, dated December 5, 2008) (highlighted)
4	Excerpts from the Joint Definitive Proxy filed by Bank of America Corp. and Merrill Lynch & Co., Inc., dated November 3, 2008
5	Lead Plaintiffs' Second Set of Requests for the Production of Documents to Defendants, dated February 10, 2012
6	Excerpts from the March 16, 2012 deposition of Neil Cotty in the above-captioned action
7	Excerpts from the January 27, 2012 deposition of David Belk in the above-captioned action
8	Excerpts from the January 22, 2012 deposition of Gregory Curl in the above-captioned action
9	Excerpts from the Expert Report of Bernard A. Katz, CPA, CIRA, CFE, CFF, dated March 16, 2012
10	Excerpts from the Rebuttal Expert Report of Bernard A. Katz, CPA, CIRA, CFE, CFF, dated April 30, 2012
11	Excerpts from the Expert Report of Harvey L. Pitt, dated April 30, 2012
12	Excerpts from the Expert Report of J.T. Atkins, dated April 30, 2012
13	Excerpts from the Expert Report of Rene Stulz, dated April 9, 2012
14	Excerpts from the Expert Report of Anil Shivdasani, dated April 9, 2012
15	Excerpts from the May 18, 2012 Deposition of Anil Shivdasani in the above-captioned action
16	Excerpts from the Expert Report of Charles Porten, CFA, dated April 9, 2012
17	Excerpts from the May 15, 2012 Deposition of Charles Porten in the above-captioned action
18	Excerpts from Plaintiffs' Supplemental Responses and Objections to Bank of America Corporation's Second Set of Interrogatories, dated May 14, 2012
19	Excerpts from Plaintiffs' Responses and Objections to Kenneth D. Lewis's First Set of Interrogatories to Plaintiffs, dated May 14, 2012

<u>Exhibit</u>	<u>Description</u>
20	Ieva M. Augstums and Stephen Bernard, "Merrill, BofA shareholders approve combination," <i>The Associated Press</i> , December 5, 2008
21	Will Boye, "Shareholders approve BofA's purchase of Merrill," <i>Atlanta Business Chronicle</i> , December 5, 2008

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 17, 2012 in New York, New York.



Hannah G. Ross